

NETFLIX, INC. vs. BLOCKBUSTER INC.

CASE NO. C 06 2361 WHA (JCS)

NETFLIX, INC.'S

EXHIBIT 4 (Part 2 of 2)

TO

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

filed on November 15, 2006

inadvertence

fact or action of being inadvertent; lack of care or attention; **INATTENTION** (mistakes proceed from ~) 2: an effect of inattention: a result of carelessness: an oversight, mistake

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a series of events or a single action : CONCLUSION (certain circumstances... serve as a brilliant ~ for a gay, well-ordered meal —*This Week Mag.*) 7 a : a portion of time determined by some recurring phenomenon ; a unit of time which something is repeated and to commence and end upon such something as the rotation of the earth's orbit) (~ of a flashing beacon) 8 : the interval of time required for a cyclic motion or phenomenon to complete a cycle and begin to repeat itself (interval ~ of a pendulum) 9 : a frequency 10 : a single cyclic occurrence (the period of menstruation) called also menstrual period 8 a : a chronological division (as of a life, a development) ; STAGE (~ of infancy) (~ of preparation and training) 10 : a section of a disease 11 : a stage of civilization (the Reformation ~) (art in the Victorian ~) (furniture of the Empire ~) 12 : a time of indefinite length but of distinctive or specified character (the ~ of a revolution) (~ of a war) (~ of a culture) 13 : a stage of culture having a definable place in time and space; specif : the length of time a pottery style is maintained in a certain area 14 : a number *k*, that does not change the value of a function $f(x+k)=f(x)$; esp the smallest such number 10 : a sequence of elements of increasing atomic numbers as represented units, in horizontal rows in the periodic table from one inert gas to the next and that may be short, long, or medium (fluorine ~ or from through bromine) 11 a : one of the divisions of the academic day ; the time appointed for a recitation or lecture or for study, physical training, luncheon, assembly, or other activity 12 : an hour b : one of the portions of a game, especially duration into which the playing time of a game (as hockey, polo) is divided
SYN EPOCH, ERA, AGE, Aeon, PERIOD, the most general of these terms, can designate any extent of time (a period of a few seconds) (the period of five years between the beginning of a period, history) EPOCH, striking or remarkable beginning (this is an epoch ~) the end and the beginning of an age—H. G. Wells), but more often designates a period set off by some significant characteristic event, or series of events (the birth of Christ, a epoch in the quality, event, or series of things) EPOCH, Americano (the Renaissance epoch)—G. C. Sellery ERA, often interchangeable with EPOCH in its more frequent meaning, is a period, usu. of history, marked by some new or characteristic event or phase (the Victorian era) (the modern era) (the era of singular crisis and upheaval)—J. W. Aldridge AGE, usu. interchangeable with but possibly more definite than ERA, is used frequently of a period dominated by a central figure or clearly marked by a specific event (the age of Shakespeare) (the age of Reason) (the atomic age) (the age of nuclear energy) (Mars is a planet which has rusted away, its oxygen having been used up aeons ago)—J. G. Vaeth (the hour of waiting seemed an aeon to the impatient child)
PERIOD, -al adj 1 : relating or belonging to an historical period ; deriving from or fashioned after the style prevalent in a particular period (~ furniture) (~ costume) 2 : representing realistically a particular historical period; esp : depicting largely on evocation of a past period effect (the film) pending largely on evocation of a past period manner—Time) (~ play) per-iodate /per-(pe)-\ n : I.S.V. periodic acid + -ate; 1 a salt of a periodic acid
peri-od-ic /pi-'ri-dik/, -dek/ adj [F période, fr. L per-iódicus, fr. GK periódos, "passing over periods ; occurring at regular intervals" (~ phases of the moon)] (~ municipal elections) 1 a : occurring repeatedly from time to time ; alternating regularly with another thing (day and night) 2 : CURRENT, INTERMITTENT (~ epidemic outbreaks of power failures)—Time) 3 : consisting of a series of stages or processes that is regularly recurrent; CYCLIC (~ vibration) 3 : of or relating to a period (house was pleasant and comfortable, the atmosphere was relaxing) 4 : pertaining to a fixed time (the house was pleasant and comfortable, the atmosphere was relaxing) 5 : pertaining to a fixed time (the house was pleasant and comfortable, the atmosphere was relaxing) 6 : pertaining to a fixed time (the house was pleasant and comfortable, the atmosphere was relaxing) 7 : pertaining to a fixed time (the house was pleasant and comfortable, the atmosphere was relaxing) 8 : pertaining to a fixed time (the house was pleasant and comfortable, the atmosphere was relaxing) 9 : 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This is a common long form of the table. Roman numerals and letters heading the vertical columns indicate the groups (there are differences of opinion regarding the letter designations, those given here being probably the most generally used). The horizontal rows represent the periods, with two series removed from the two very long periods and represented below the main table. Atomic numbers are given above the symbols for the elements, and atomic weights or (in square brackets) mass numbers of the isotopes of

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purpose, use, or situation *n* : a drug that has a specific mitogenic influence on a disease (quinine is a ~ for malaria) *n* : a specific or characteristic quality or attribute *n* : a quality, feature, detail, or distinction : PARTICULARS (music frees us from the ~ and stirs the unconscious depths of our being) *n* : a specific *pl* : SPECIFICATION 4 (Work out the ~s required for putting his program into effect — *New Republic*) **sp3**

specific absorptive index *n* : absorbance of radiation per unit thickness of layer and concentration of solution
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific charge *n* : the ratio of the electric charge on a particle to its mass
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific character *n* : a character distinguishing one species from another or from every other species of the same genus
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific charge *n* 1 : a charge against specific identifiable property
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific heat *n* 1 : the ratio of the electric charge on a particle to its mass
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific color *n* : a color having hue and saturation : a chromatic color
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific conductivity *n* : DIRECT CURRENT
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific duty *n* : a duty assessed on an article of a given kind at a flat rate per unit of quantity (as a ton, bushel, or yard) without individual appraisal
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific effect *n* : the effect of ingestion and assimilation of food and esp. of protein in increasing the production of heat in the body
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific energy *n* : the supposed specific quality of a sensory nerve impulse or of a stimulus that transmits a particular kind of sensation whatever the nature of the stimulus and that is usu. attributed to interpretive and correlative processes in the central nervous system
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific energy *n* : the ratio of substance per unit mass (as a gram or mole)
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific epithet *n* : a Latin or latinized noun or adjective that follows and agrees grammatically with the genus name in the name of a taxonomic species
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific gravity *n* : the ratio of the density of a substance to the density of some substance (as pure water at its temperature of maximum density at 4°C) taken as a standard when both densities are obtained by weighing in air (if one cubic inch of gold weighs the specific gravity of gold is 19.3)
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific-gravity balance *n* : a balance used for determining the specific gravity of a liquid or solid by means of the Archimedes principle
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific-gravity bottle or **specific-gravity flask** *n* : a pycnometer having the form of a stoppered bottle
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific-gravity bulb *n* : a hollow glass bulb so weighted that it will float on a liquid of greater density and sink in a liquid of lesser density than that in which it is placed
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific heat *n* 1 : the ratio of the quantity of heat required to raise the temperature of a body one degree to that required to raise the temperature of an equal mass of water one degree
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific heat *n* 2 : the ratio of the heat capacity of a substance one degree centigrade
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific humidity *n* : the mass of water vapor per unit mass of moist air
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific impulse *n* : the thrust produced per unit rate of mass loss of the propellant used, specified in pounds of thrust per pound of propellant used, per second and forming a measure of the efficiency of performance of a rocket engine
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific ionization *n* : the number of ion pairs formed per unit mass of a substance by a given dose of ionizing radiation
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific-ionicity *n* : the ratio of the quality of a specific property to the quality of a substance
spe-*ci*-*ci*-*ci*-*ci* -[fakəl] *adj* [MAD, fr. *LL* *specificus* + *ME* -*at*] **archaic** : **specific**

specific note *n* : a specific note (contributed a desirable note of ~ to the discussion — *H.D. Giddens*); *esp* : the condition of being peculiar to a particular individual or group of organisms (homo sapiens)
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